



09-315068

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June 3, 2002

#16 CPA  
M. Brunson  
6/7/02

BOX CPA  
Commissioner for Patents  
Washington, D.C. 20231

Re: Application of Toshiro HAYAKAWA, Toshiaki FUKUNAGA, Mitsugu WADA  
SEMICONDUCTOR LASER AND METHOD OF MANUFACTURING THE  
SAME

Assignee: FUJI PHOTO FILM CO., LTD.  
Our Ref: Q54431

RECEIVED  
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2800 MAIL ROOM

Dear Sir:

This is a request for filing a Continuation Application under 37 C.F.R. § 1.53(d) (continued prosecution application (CPA)) of pending prior Application No. 09/315,068 (Confirmation No. 5982 ) filed on May 20, 1999 of Toshiro HAYAKAWA, Toshiaki FUKUNAGA, and Mitsugu WADA, entitled SEMICONDUCTOR LASER AND METHOD OF MANUFACTURING THE SAME.

This application is being filed under 37 CFR § 1.53(d). The prior application, in which no payment of the issue fee, abandonment, or termination of proceedings has occurred, is hereby expressly abandoned as of the filing date of this new application. It is understood that secrecy under 35 USC § 122 is hereby waived to the extent that if information or access is available to any one of the applications in the file jacket, be it either this application or a prior application in the same file jacket, the Patent and Trademark Office may provide similar information or access to all the other applications in the same file jacket.

The prior application is assigned to Group Art Unit 2828

A Preliminary Amendment is being submitted herewith.

The power of attorney appears in the original papers of the prior application.

Priority is claimed from:

<u>Country</u>	<u>Application No</u>	<u>Filing Date</u>
Japan	139623/1998	May 21, 1998

The priority document(s) were filed in parent Application No. 09/315,068.

The Government filing fee is calculated as follows:

Total claims	6 - 20	=		x	\$18.00	=	\$0.00
Independent claims	2 - 3	=		x	\$84.00	=	\$0.00
Base Fee							\$740.00
<b>TOTAL FILING FEE</b>							<b>\$740.00</b>

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740.00



SUGHRUE MION, PLLC

Transmittal Letter, CPA of Application 09/315,068

June 3, 2002

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A check for the statutory fee of \$740.00 is attached. You are also directed and authorized to charge or credit any difference or overpayment to Deposit Account No. 19-4880. The Commissioner is hereby authorized to charge any fees under 37 C.F.R. §§ 1.16 and 1.17 and any petitions for extension of time under 37 C.F.R. § 1.136 which may be required during the entire pendency of the application to Deposit Account No. 19-4880. A duplicate copy of this transmittal letter is attached.

In accordance with 37 C.F.R. § 1.133 and MPEP §§ 706.07(b), 713.01, 713.02, Applicants hereby requests a personal interview with the Examiner in charge of this Application prior to the Examiner taking further action on this case. Applicants respectfully request that the Examiner contact the undersigned by phone at (202) 857-2249 upon receipt of this Request to arrange a meeting time.

The application is timely filed.

Respectfully submitted,

SUGHRUE MION, PLLC

A handwritten signature in cursive script that reads 'David A. Klein'.

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**David A. Klein**

Registration No. 46,835



# 17B Amtd.  
M. Brunson  
6/7/02

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Toshiro HAYAKAWA, et al.

CPA of Application No.: 09/315,068

Group Art Unit: 2828

Confirmation No.: 5982

Examiner: Jeffrey N. Zahn

Filed: May 20, 1999

For: SEMICONDUCTOR LASER AND METHOD OF MANUFACTURING THE SAME

PRELIMINARY AMENDMENT

Commissioner for Patents  
Washington, D.C. 20231

Sir:

Prior to examination, please amend the above-identified application as follows:

IN THE CLAIMS:

Please add the following new claims:

B1 sub C2 7. (New) A semiconductor laser as defined in Claim 1, wherein a thickness of the upper cladding layer is greater than zero, but less than  $1\mu\text{m}$ .

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